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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report every 90 days on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS).

2. In my last report, dated 26 March 2002 (S/2002/312), I noted clear progress in the consolidation of the democratization process in Guinea-Bissau. At the same time, I expressed concern about some developments affecting the judiciary, the mass media, and the Human Rights League, and called on the Government of Prime Minister Alhamara N'Tchia Nhasse to ensure that its undertakings to promote human rights and the independence of the judicial sector were honoured in practice. I invited the Government of Guinea-Bissau and the donor community to move forward with the speedy implementation of plans for the demobilization of former combatants and the restructuring of the armed forces, as preconditions for the establishment of durable peace in the country. Finally, I asked that the international community respond to Guinea-Bissau's urgent needs for budgetary support and development and technical assistance.

3. The present report covers developments since my last report and highlights the continuing facilitation role of UNOGBIS and the work of other entities of the United Nations system in support of the Government's post-conflict peace-building efforts.

II. Political developments

4. During the period under review, the overall situation in the country has remained calm, although political tensions have been running high. The agreement reached in late March between the Government and the opposition, aimed at further normalizing the situation in the country, facilitated the acceptance by the National Assembly of the Government's programme of work and demonstrated openness to dialogue and compromise on the part of the Prime Minister, as well as a sense of responsibility on the part of the coalition of opposition parties.

5. Since then, the dialogue between the legislature and the Government has continued, concentrating on the Government's draft budget. Following opposition criticism that the Government had failed to reflect some of the undertakings it had outlined in the programme of work, especially the financing of the new minimum wage of 28,500 CFA francs (approximately $40), the Government withdrew the budget and resubmitted it, indicating that, because of the precarious state of the economy, it would not be in a position to implement the new minimum wage.

6. Against this more conciliatory background, a major challenge for the Government remains the pressing social and economic problems. Given the lack of adequate financial resources, the Government has had difficulty in managing the budget, which led to criticism by the Bretton Woods institutions.

7. A Government decree issued on 27 April stated that the Ministers of Finance and Economy, Public Administration, Justice and Fisheries were being

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replaced. Some observers regarded the appointment of the new Finance and Economy Minister, Rui Duarte Barros, as significant, given the concern expressed by the Bretton Woods institutions regarding the management of the budget. On 27 May, the Minister of the Interior was also replaced.

8. Another difficult challenge remains the continued inability of the Government to pay civil servants their accumulated salary arrears and regular wages in full and on time. This has continued to generate social tension, which resulted in a deterioration of relations between the Government and a major trade union confederation, the National Trade Union Confederation (UNTG), which on 29 April called a five-day strike of public sector workers.

9. The Government's payment of some arrears, made possible through an early transfer of funds by the European Commission for fishing licences, eased social tensions somewhat. However, soon after, a new controversy arose when the Attorney-General's office asked the Secretary-General of UNTG to produce proof that its executive body had been legally constituted. This move was seen as interference by the Government in the internal affairs of an independent labour organization.

10. The non-promulgation of the revised Constitution continues to contribute to political tensions. On 23 May, President Yalá sent to the President of the National Assembly his comments on the Constitution. He appears to want the right to appoint the chiefs of staff of the armed forces and the Inspector General of the Army on the advice, instead of on the recommendation, of the Government; the right to chair, at his discretion, the Council of Ministers; and the power to appoint ambassadors on the advice, not the recommendation, of the Government. The National Assembly's technical commission is currently considering the President's proposals.

11. In order to promote peaceful debate on these and other issues among various institutions and key actors, UNOGBIS organized in Bissau from 15 to 17 April, a national dialogue on human rights and democracy, which brought together over 80 representatives of national institutions, including the armed forces, political parties and civil society. The Dialogue culminated in the adoption by participants of a "Bissau declaration", which contains recommendations on political, human rights and democracy issues, including the need to ensure the separation of powers and the independence of the judiciary. It also calls for the formation of a committee to follow up on the implementation of these recommendations and to plan further activities.

12. In another UNOGBIS initiative, aimed at promoting peace and the democratization process, 68 participants, including parliamentarians, attended a seminar on mechanisms of conflict prevention and resolution, held in Bissau on 21 and 22 May 2002. The seminar focused its discussions on national reconciliation and dialogue as the main means to manage differences. Among other conclusions, the seminar recommended that the National Assembly create a commission of truth and reconciliation and create conditions under which State institutions could function in accordance with democratic principles and values.

III. Military and security aspects

13. In the subregional context, Government officials continued the policy of peaceful cooperation with the country's neighbours. In recent months, relations with Senegal have been further strengthened, especially following a visit to Bissau on 28 May by the Minister of the Interior of Senegal to discuss issues of mutual interest. Among those issues were recent incidents involving the navy of Guinea-Bissau and Senegalese fishing boats that did not have licences to fish in the Bissau Guinean exclusive economic zone. During these incidents two Bissau Guinean naval personnel were killed and a number of Senegalese seamen were detained by the Bissau Guinean authorities. The second was the detention, by the Bissau Guinean authorities, in late March, of Alexandre Djiba, spokesman of the Casamance separatist movement, the Movement of Democratic Forces of Casamance (MFDC), for having allegedly entered Guinea-Bissau illegally. On 29 May, Mr. Djiba was released, went to Senegal and is now in Banjul, where he had previously resided. UNOGBIS understands that the position of the Senegalese seamen is still under discussion between the two Governments.

14. The security situation along the border with Senegal has remained stable. However, concern remains that periodic upsurges of violence and illegal activities in the Casamance region might impact on the security situation in the Bissau Guinean areas bordering that region.

15. Another neighbouring country, the Gambia, has recently reaffirmed that it strongly supports the efforts of the Government of Guinea-Bissau to entrench democracy and peace in the country, as the peace of the subregion would be immediately and adversely affected if peace were not sustained in Guinea-Bissau. To that end, the Gambian Foreign Minister, during the visit of my Representative to Banjul from 16 to 21 May, emphasized that his Government, notably through its membership of the Headquarters Group of Friends of Guinea-Bissau, would seek to mobilize international support for Guinea-Bissau. A meeting of the Presidents of the Gambia, Guinea-Bissau and Senegal to discuss issues of mutual concern is envisaged soon, and its venue is being discussed.

16. The implementation of the demobilization, reinsertion and reintegration programme has been further delayed. The programme is supported by a multi-donor trust fund administered by the World Bank. Some of the donors are insisting that the Government of Guinea-Bissau should reinstate, in full, funds diverted from the programme (to other Government expenditure) so that the programme can commence operations. Discussions on this issue are ongoing. The programme for this year involves 3,821 individuals, including 2,738 serving members of the armed forces. Included in the latter are 11 generals and 125 senior officers. The programme will be completed in 2004 with the reinsertion phase. In all, about 15,000 ex-combatants should by that time have been handled by the programme.

17. As the Government is pursuing the restructuring of the armed forces, the military leadership focuses on sensitizing members of the armed forces to the need for restructuring and on defining future requirements. However, despite the clear political will being shown, the actual restructuring of the armed forces can take place only if international assistance, in the form of substantial programmes of support, is forthcoming.

18. With regard to the demining programme, the non-governmental organization Humanitarian Aid continues its activities. By 30 April, a total of 3,526 mines and other devices had been deactivated, which has contributed to an improvement of the security situation. However, the recent discovery by Humanitarian Aid of an ammunition dump, apparently dating from the war of colonial liberation, and including unstable 155-millimetre shells, at Ilonde, 15 kilometres north-west of Bissau, demonstrated the need for ongoing awareness-raising activities by the authorities to alert the population to the serious risks run by farmers and the population as a whole in such districts.

19. In the area of internal security, the continued institutional weakness of Guinea-Bissau's police force, including insufficient logistical support, the lack of standard operating procedures and the almost total lack of training following the closure of the two training centres, has severely hampered the ability of the police to meet the challenges it faces. These challenges include banditry, drug trafficking and money-laundering and need to be addressed as part of the overall peace-consolidation strategy. International assistance in this field is also urgently needed.

IV. Human rights

20. UNOGBIS has continued to promote respect for human rights and the rule of law, maintaining regular contacts with Government institutions, political parties and civil society groups. I was gratified to note, in this connection, that the Minister for Foreign Affairs, Filomena Mascarenhas Tipote, restated her Government's commitment to cooperation with the United Nations in the human rights area.

21. It is therefore with some regret that I have to report that UNOGBIS has received a number of complaints from family members of the 38 individuals still detained in connection with the alleged attempted coup d'état of 3 December 2001, mostly about detention conditions. My Representative, who visited places of detention and made known his concern at the long delay in bringing formal charges against these individuals, was informed that the judiciary had been unable to proceed speedily with the cases because it lacked the means to do so. To date, there has been no indication that the Government is prepared to make the necessary means available.

22. At the same time, in an important move, the Regional Tribunal of Bissau, on 23 May, began trials of key members of the former military junta who had been detained in connection with the coup attempt of 22 and 23 November 2000 and, later, provisionally released. UNOGBIS will observe the trial process.

23. Before the beginning of the trials, following persistent allegations that summary executions had taken place during the incidents of November 2000, Amnesty International wrote to President Yalá on 18

April 2002 requesting that a full inquiry be set up to examine those allegations, and in particular the circumstances surrounding the death of General Ansumane Mane. After the content of the letter was broadcast in the local media in mid-May, it became clear that Amnesty International's request for an impartial judicial inquiry had some support in the country and that there is, indeed, a need to shed light on those events.

24. With regard to the rights of children, UNOGBIS and the United Nations Children's Fund, supported by the Government of the Netherlands, assisted members of the Government in the preparation and submission of Guinea-Bissau's report to the Committee on the Rights of the Child, which was considered by the Committee at a meeting in Geneva in late May.

V. Economic and social aspects

25. The overall critical economic and social situation has changed little since my last report, but missions dispatched to Bissau in recent months by both multilateral and bilateral donors have shown that there is increased interest in Guinea-Bissau on the part of the international community. Specifically, the African Development Bank proposed a programme of support for primary education, the Netherlands has been looking into capacity-building needs, and Sweden, the European Commission, the World Bank, the World Health Organization and others have sent missions with a view to reviewing their programmes of assistance. My Representative conferred with donor missions in Bissau and, during a mission from 29 May to 4 June, with donor missions resident in Dakar. He reported that, notwithstanding some concerns about the political situation, donors were prepared to support Guinea-Bissau.

26. The Government also used an opportunity afforded during the third meeting of the Ministers of Agriculture of the Community of Portuguese-Speaking Countries, held in Bissau on 16 and 17 May with the support of the United Nations Development Programme and the Food and Agriculture Organization of the United Nations, to seek understanding and support for its reconstruction efforts.

27. During the period under review, the management of public finances has remained a major preoccupation of the international community. There is consensus that no progress can be made in the economic sphere until the imbalance in supply and demand has been corrected and effective procedures and mechanisms are in place to ensure the country's financial viability. Following a review mission by the International Monetary Fund (IMF) in March, the Government proposed a series of measures designed to restore credibility in the management of public finances.

28. However, recent signs have appeared that the deficit was increasing rather than diminishing. The IMF and the World Bank have consequently expressed serious reservations about some proposals made by the Government. They noted, for example, that the decisions to reduce the tax on cashew exports from 10 per cent to 6 per cent and to increase public sector wages with effect from September 2002 would seriously affect performance indicators. Concern has also been expressed that expenditure was being made on an arbitrary basis rather than according to established procedures, and that the public payroll did not reflect the true situation as to the number of persons actually employed. Responding to these concerns, the new Finance Minister has moved swiftly to ensure that the Treasury Committee is working more effectively to oversee all public expenditure. A high-level technical team visited Washington in late May for talks with the international financial institutions.

29. To help the Government meet its post-conflict challenges, the United Nations country team has continued joint activities, such as an inter-agency field mission to the Bijagos Islands, close inter-agency cooperation in the region of Gabu, the development of a multisectoral response to HIV/AIDS, including the holding of a one-day special session of the National Assembly on the subject, and support for Guinea-Bissau's official participation in international meetings and initiatives, including meetings in Dakar on the New Partnership for Africa's Development. The country team has recently completed work on the United Nations Development Assistance Framework for Guinea-Bissau, which places the work of the programmes and agencies of the system within the overall context of peace-building.

30. The World Food Programme (WFP) resumed operations in Guinea-Bissau on 25 May, when 2,000 metric tons of rice, donated by the United States Agency for International Development, arrived at Bissau port. The rice will be distributed to the population with three objectives in mind: to improve

school attendance, to assist malnourished women and children and to address the need for agricultural reactivation through food-for-work programmes. As of April, WFP had distributed 3,762 tons of commodities to 103,190 beneficiaries.

VI. Observations

31. Guinea-Bissau continues to face major political, economic and financial challenges, but the country remains peaceful. I am encouraged by the fact that, despite serious economic difficulties, political leaders have pursued the path of agreement through debate. I trust that these trends will continue and that the parties will honour agreements reached.

32. The consolidation of peace requires that the rule of law be strengthened so as to ensure that there is a genuine separation of powers, and that the State be made more responsive and effective in meeting the needs of the people. The reassertion of the independence of the judiciary should be seen as an essential step in that direction. The modernization of the armed forces, including the demobilization and reintegration of former armed forces and liberation movement personnel and a reduction in the level of small arms, remains a high priority. I urge the Government to implement measures it has agreed to undertake and to ensure that progress is made in these vital fields. I call on the donor community to support the Government's development and rehabilitation efforts, especially in these priority fields.

33. The Constitution should be the cornerstone of peaceful order in Guinea-Bissau, but, regrettably, confusion persists about the current impasse over constitutional issues. It is not even clear where responsibility for taking the constitutional process forward lies. I therefore urge the executive and legislative branches of Government to come together in the national interest and to reach a compromise soon.

34. I encourage President Yalá to pursue his efforts to empower his ministerial team so as to give its members a measure of stability, thereby enabling them to achieve their objectives.

35. It is clear that peace-building is difficult, perhaps impossible, unless it is based on a firm economic foundation. The efforts of the Government of President Yalá to build peace and democracy in Guinea-Bissau are also being handicapped by the limited resources available to the Government. Clearly, concern about financial management is an issue of deep concern to the international community, and the Government should address it as a matter of priority. I urge the Government to sustain the encouraging dialogue it has begun with the Bretton Woods institutions. Then, once satisfactory action has been taken and the donor community has received the assurances it seeks, I hope that the pledges made at the last round-table meeting on international assistance to Guinea-Bissau will be implemented, and that a second international round table can be prepared and held soon.

36. Accordingly, I renew my appeal to the international community to provide budgetary assistance for Guinea-Bissau and to support a programme of renewal and rehabilitation of economic, social and cultural infrastructure, as well as a sustained programme of technical assistance to strengthen the key institutions of the State.

37. In concluding, I wish to pay tribute to the staff of UNOGBIS, who, together with the whole United Nations country team, continue, with courage and dedication, to make a commendable contribution to the peace-building efforts of the Government and the people of Guinea-Bissau.